

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MEGAN ROBINSON, an)	
individual,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:18cv548-MHT
)	(WO)
LUIS FAVELA CRUZ, an)	
individual, and)	
QUINTANILLA INTERNATIONAL)	
TRANSPORT, LLC, a)	
corporation,)	
)	
Defendants.)	

OPINION

Plaintiff filed this lawsuit on June 4, 2018, asserting negligence and wantonness claims stemming from a truck accident. Plaintiff timely served one defendant with the complaint, but has not yet served defendant Luis Favela Cruz, despite three extensions of time to do so.

Federal Rule of Civil Procedure 4 sets a time limit for service of a complaint. It provides:

"If a defendant is not served within 90 days after the complaint is filed, the court--on

motion or on its own after notice to the plaintiff--must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period."

Fed. R. Civ. P. 4(m). Because more than 90 days had passed since the filing of the complaint, and the time period granted in the third extension of time had passed, the court issued an order to show cause why plaintiff's claims against defendant Cruz should not be dismissed pursuant to Rule 4(m). See Order (doc. no. 22). Plaintiff did not respond to the order to show cause. The court therefore concludes that plaintiff's claims against defendant Cruz should be dismissed.

An appropriate judgment will be entered.

DONE, this the 5th day of August, 2019.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE